

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

543Q0412

CONFERENCE COMMITTEE

ENGROSSED NO. **SB 115** - 3/12/2009

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Hanson (Gary), Abdallah, Bartling, Fryslie, Haverly, Heidepriem, Howie, Kloucek, Peterson, Rhoden, and Vehle and Representatives Noem, Burg, Dennert, Feinstein, Juhnke, Pitts, Rausch, Street, and Wink

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the initiation of
2 modifications to county comprehensive plans.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-2-28 be amended to read as follows:

5 11-2-28. The plan, ordinances, restrictions, and boundaries adopted pursuant to this chapter
6 may be amended, supplemented, changed, modified, or repealed by action of the board. Any
7 such modification or repeal shall be proposed in a resolution or ordinance, as appropriate,
8 presented to the board for adoption in the same manner and upon the same notice as required
9 for the adoption of the original resolution or ordinance. The amendment, supplement, change,
10 modification, or repeal may be requested through a petition by ~~thirty~~ twenty percent of the
11 landowners in the zoning district or districts requesting change. For purposes of this section, the
12 term, landowner, means any person who owns land in the county as evidenced by records in the
13 offices of the register of deeds and clerk of courts. If land is sold under a contract for deed that



1 is of record in the office of the register of deeds in the county, both the landowner and the
2 individual purchaser of the land, as named in the contract, are treated as landowners. Any
3 charitable, benevolent, or religious society that owns any agricultural land in the county is not
4 a landowner for purposes of this section if the agricultural land is exempt from taxation pursuant
5 to § 10-4-10, but any such society is a landowner for purposes of this section for any of its real
6 property in the county that is not exempt from taxation pursuant to § 10-4-10.